

## **REMARKS**

Claims 10, 12-16, 28, and 30-38 are pending in the present application.

### **Examiner Telephone Interview Summary**

A telephone interview was conducted today, March 15, 2007, between Stephen J. Curran (hereinafter “Applicant”), Examiner Joseph Manoskey, and Primary Examiner Robert Beausoleil. The discussion generally focused on the rejected claims and the whether the cited art teaches the features recited in the claims. In addition, the parties discussed what actions may be taken next. Applicant first explained the general nature of the invention to both Examiners to establish a basis for the discussion. Applicant then expressed concern regarding the number of Office actions issued, each with new art. Applicant explained the nature of the claims and their features in detail. Applicant then presented an oral argument as to why Applicant believed that the cited art does not teach the features recited in the claims. Examiner Manoskey presented his reasoning for the rejection and why he felt the art taught certain aspects of the claims. After further discourse from Applicant and Examiner Manoskey, Examiner Beausoleil added some remarks. At the conclusion of the interview, no specific agreements were reached. However, the Examiners agreed that they better understood the nature of the claims, and all parties agreed they better understood what the cited art was teaching and/or not teaching. Examiner Manoskey stated that another search would likely need to be performed if Applicant responded with a response to the present Office action.

### **Rejections**

Claims 10, 12-16, 28, and 30-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ben-Meir et al. (U.S. Patent Number 5,652,893) (hereinafter “Ben-Meir”) in view of Park (U.S. Patent Number 5,649,297) (hereinafter “Park”). Applicant respectfully traverses this rejection.

Claims 35-38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ben-Meir and Park in view of Weinstein (U.S. Patent Number 5,939,799). Applicant respectfully traverses this rejection.

Applicant's remarks from previous responses to Office actions are maintained herein. The following arguments include additional remarks and also address the new grounds of rejection.

More particularly, the Examiner asserts that the combination of Ben-Meir and Park teaches or suggests the combination of features recited in Applicant's claims. Specifically, the Examiner asserts "Ben-Meir teaches the lines being redundant (See Fig. 1, Col. 2, lines 1-8, and Col. 3, lines 15-38). This is interpreted as a first redundant source of power adapted to provide power to a first split path, and a second source of power adapted to provide power to a second split path, wherein the first and second split paths are adapted to transmit signals." The Examiner acknowledges Ben-Meir does not teach does not teach a first portion and a second portion of a message, respectively in parallel from a source to a destination. However, the Examiner asserts "Ben-Meir does teach redundant transmission and reception lines (see col. 2, lines 2-4)."

The Examiner further asserts "Park teaches transmitting different portions data from the same message across two separate channels (See col. 1, lines 45-58, Col. 3, lines 14-18)." The Examiner further asserts it would have been obvious to combine the use of two channels of Park with the redundant power supplies of Ben-Meir, because Ben Meir teaches a desire of using evolving technology that supports higher speed protocols and Park teaches more than doubling the bandwidth by using two channels.

Applicant respectfully disagrees with several aspects of the Examiner's assertions. Specifically, Applicant submits it appears that in his discussion of prior art Ben-Meir teaches redundant power supply elements (e.g., power elements, controllers). However, Ben-Meir mentions redundant power elements are generally known, such as those used in a back-up arrangement in case of failure of a main supply. (See Ben-Meir col. 2, lines 4-

7). Ben Meir also mentions, only in the background section and not even in the context of his computer system, “often lines to and from the stations are provided in a redundant manner (transmission, reception lines).” (*See* Ben-Meir col. 2, lines 2-4). Ben-Meir **does not teach redundant lines being used in parallel to convey respective portions of a message.** In addition, as shown below, Ben-Meir only teaches that redundant **power elements are used in parallel to power the whole system.** Specifically, Ben Meir teaches at col. 3, lines 58-65

“The power delivery capability for each power supply element is derived from the type information and a total available power budget determined. Power supply elements installed in the hub add incremental amounts to the available power budget based on the power supply element type and capacity. All power supply elements installed are online and delivering power to the hub.”

From the above, Applicant submits this is clearly different than having a redundant source of power for each split path, wherein each split path conveys respective portions of a message in parallel.

In regard to Park, Applicant submits Park is directed to a wireless radio system in which information from one message is transmitted on two sub-carriers of an FM radio signal (*See Abstract*). Applicant respectfully disagrees with the Examiner’s assertion that it would have been obvious to combine Ben-Meir and Park. Applicant also submits the two references are not properly combinable without undue experimentation and modification of the system of Ben-Meir. Applicant further submits since the Park reference deals with FM wireless transmission, it is not analogous art.

More particularly, from above, Applicant submits Ben-Meir does not teach the redundant transmission lines even being used in the context of his computer system. Ben-Meir only mentions the redundant lines in passing to show that redundancy is generally known in the art. Applicant can find no reference to redundant signal lines being used in Ben-Meir system. In addition, the sub carrier channels used in Park are sub-frequencies of an FM spectrum. Applicant is unaware of a way in which a power

supply can supply an individual sub-carrier. As such, Applicant believes the two references are not properly combinable. Further, since Park is directed to wireless methods, Applicant finds it hard to believe one skilled in the art would be motivated to even look at Park when trying to solve a problem in a typical computer system.

Furthermore, in regard to the rejection of claims 12 and 13, Applicant submits neither Ben-Meir nor Park teach that each redundant power source includes into additional redundant power sources, thus making each split path have its own redundant supply. Accordingly, Applicant submits neither Ben-Meir nor Park teaches or suggests “...the first redundant source of power comprises a first and a second power supply adapted to provide a first and a second portion of power to the first split path,” as recited in Applicant’s claim 12. Further, Applicant submits neither Ben-Meir nor Park teaches or suggests “... the second redundant source of power comprises a third and a fourth power supply adapted to provide a third and a fourth portion of power to the second split path,” as recited in Applicant’s claim 13.

Lastly, Applicant submits even if, (*arguendo*), the references taught what the Examiner is suggesting, the Examiner has not established a *prima facie* case of obviousness. Applicant challenges the Examiner’s assertion that to combine the use of two channels of Park with the redundant power supplies of Ben-Meir, because Ben Meir teaches a desire of using evolving technology that supports higher speed protocols and Park teaches more than doubling the bandwidth by using two channels. Applicant submits this is a generalized statement and in no way shows either reference should or could be combined with the other. The mere fact that both references are directed toward improving bandwidth is not sufficient motivation to suggest combining the references in the manner suggested by the Examiner. Particularly since at least one aspect of Applicant’s invention is reliability and availability. Applicant submits according to MPEP §2143.01 III, fact that references can be combined or modified is not sufficient to establish *prima facie* obviousness. Applicant submits neither reference suggests the combination.

Applicant further submits the remaining dependent claims recite additional patentable features, which are not discussed here for brevity. Applicant reserves the right to argue those claims in the future should the need arise.

Weinstein is relied upon by the Examiner for disclosing using a single capacitor to provide power to a system during a switchover from a primary power supply to a backup secondary power supply thereby keeping the voltage from sagging too low during the switching time. Thus, Weinstein does not teach the features discussed above.

Thus for the reasons given above, Applicant submits claim 10, along with its dependent claims, patentably distinguishes over Ben-Meir in view of Park, and over Ben-Meir and Park, in view of Weinstein.

Applicant's claim 28 recites language that is similar to the language recited in claim 10. Accordingly, Applicant submits claim 28, along with its dependent claims, patentably distinguishes over Ben-Meir in view of Park, and over Ben-Meir and Park, in view of Weinstein for at least the reasons given above.

## **CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-53300/SJC.

Respectfully submitted,



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